

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 4:06CR19-P-B**

**DIANE GRACE SIMPSON**

**ORDER**

This cause is before the Court on defendant Simpson's Motion to Continue [21]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for November 6, 2006. Counsel for defendant Simpson seeks a continuance in order to confer with his client more fully after her lengthy absence as a result of the recent psychological evaluation. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from November 6, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant additional time to consult with his client and to prepare a defense to the charges against her. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

**IT IS, THEREFORE, ORDERED AND ADJUDGED that**

1. The Motion to Continue Trial Setting [21] is GRANTED;
2. That the trial of this matter is continued until Monday, December 11, 2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from November 6, 2006 until December 11, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is November 20, 2006;
5. That the deadline for submitting a plea agreement is November 27, 2006.

SO ORDERED, this the 30<sup>th</sup> day of October, 2006.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE